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 13 SONY COMPUTER ENTERTAINMENT AMERICA LLC  
 14 and SONY ELECTRONICS INC.

15 UNITED STATES DISTRICT COURT  
 16 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
 17 SAN FRANCISCO DIVISION

18 OLYMPIC DEVELOPMENTS AG, LLC,  
 19 Plaintiff,  
 20 v.  
 21 SONY COMPUTER ENTERTAINMENT  
 AMERICA LLC  
 Defendant.

Case No. 3:11-cv-01080-JCS  
 Judge: Hon. Joseph C. Spero

**JOINT STIPULATION AND  
 [PROPOSED] ORDER TO  
 CONSOLIDATE CASE NO. 3:11-CV-  
 01080-JCS AND CASE NO. 3:11-CV-  
 04203-JSC**

22 OLYMPIC DEVELOPMENTS AG, LLC,  
 23 Plaintiff,  
 24 v.  
 25 SONY ELECTRONICS INC.  
 26 Defendant.

27  
 28 AND RELATED COUNTERCLAIMS

1           1. Pursuant to Civil L.R. 7-12 and Federal Rules of Civil Procedure 42(a), Plaintiff  
2 Olympic Developments AG, LLC (“Plaintiff”) and Defendants Sony Computer Entertainment  
3 America LLC (“SCEA”) and Sony Electronics Inc. (“SEL”) (collectively “the Parties”), by and  
4 through their respective counsel, hereby agree and stipulate, and respectfully request the Court to  
5 enter an Order consolidating the above-captioned actions. This joint stipulation sets forth the  
6 following facts upon which the Parties agree:

7           2. Plaintiff filed an action against SEL, SCEA, and several other defendants on  
8 September 28, 2010 in the United States District Court for the Central District of California, alleging  
9 patent infringement.

10          3. On February 18, 2011, Plaintiff and SEL along with two other defendants, Apple, Inc.  
11 and barnesandnoble.com LLC, filed a Joint Stipulation and Motion to Sever and Transfer Plaintiff’s  
12 Claims to the United States District Court for the Northern District of California. Case No. C-11-  
13 01655 EJD, *Doc. 85*. The court granted the joint motion on February 28, 2011. *Id.* at *Doc. 89*.  
14 Following severance and transfer, Plaintiff and SEL, including Apple, Inc. and barnesandnoble.com  
15 LLC, were docketed before Judge Edward J. Davila.

16          4. On February 21, 2011, Plaintiff and SCEA filed a Joint Stipulation and Motion to  
17 Sever and Transfer Plaintiff’s Claims to the United States District Court for the Northern District of  
18 California. *Doc. 63*. The court granted the joint motion on February 28, 2011. *Doc. 66*. Following  
19 severance and transfer, Plaintiff and SCEA were docketed before this Court (“SCEA Action”).

20          5. Since their respective transfers, the Parties have engaged in several meet and confer  
21 discussions to join SEL in the SCEA Action. These discussions were described in subsequent filings  
22 in the SCEA Action, in which the Parties stated that “Plaintiff, SCEA, and SEL have agreed that the  
23 convenience of all parties and consistent and efficient judicial management would benefit from  
24 removing Plaintiff’s and SEL’s claims from the [this] Action and asserting them in [the SCEA  
25 Action].” Case No. 3:11-cv-01080-JCS, *Docs. 91, 92*.

26          6. On August 19, Plaintiff and SEL filed a Joint Stipulation to Sever Plaintiff’s Claims  
27 Against SEL, severing SEL from barnesandnoble.com LLC (Apple, Inc. had previously been  
28

1 dismissed pursuant to a settlement agreement). *Case No. 11-cv-01655, Doc. 130*. The court granted  
2 the joint stipulation on August 23, 2011. *Id.* at *Doc. 131*.

3 7. In both the SCEA Action and the SEL Action, Plaintiff asserts claims of infringement  
4 arising out of the same patents. In both actions, SCEA and SEL also assert counterclaims against  
5 Plaintiff regarding the same patents. Both SCEA and SEL share the same counsel and are affiliated  
6 corporations.

7 8. Consolidation will avoid unnecessary cost and delay, increase efficiencies for the  
8 Parties, and provide economies for the Court.

9 9. In order to avoid unnecessary motion practice and further expense of the Parties and  
10 the Court's resources, the Parties, by and through their respective counsel, request an Order  
11 consolidating the SEL Action and the SCEA Action for pretrial purposes.

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1           10.     WHEREFORE, the Parties, by and through their respective counsel, hereby stipulate  
2 to and request this Court to enter an Order consolidating Case No. 3:11-cv-01080-JCS and Case No.  
3 3:11-cv-04203-JSC for pretrial purposes.

4 Dated: August 26, 2011

Respectfully submitted,

**WHITE FIELD, INC.**

By: /s/ Steven W. Ritcheson

Steven W. Ritcheson  
ATTORNEY FOR PLAINTIFF OLYMPIC  
DEVELOPMENTS AG, LLC

10 Dated: August 26, 2011

Respectfully submitted,

**SHOOK, HARDY & BACON**

By: /s/ Eric A. Buresh

Eric A. Buresh  
Attorneys for Defendants and Counterclaimants  
SONY COMPUTER ENTERTAINMENT  
AMERICA LLC and SONY ELECTRONICS INC.

16 Pursuant to General Order No. 45.X.B., the below filer attests that concurrence in the filing  
17 of this document has been obtained from the above Signatories.

18 Dated: August 26, 2011

/s/ Andrew L. Chang  
Andrew L. Chang

21 PURSUANT TO STIPULATION, IT IS SO ORDERED.

22 Dated: 09/01/2011

HONORABLE JOSEPH C. SPERO  
UNITED STATES DISTRICT COURT

